

**SUPREME COURT MINUTES
WEDNESDAY, APRIL 9, 2008
SAN FRANCISCO, CALIFORNIA**

S160736 B193831 Second Appellate District, Div. 7 **PEOPLE v. LAWRENCE
(RINGO)**

Petition for review granted (criminal case)

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S160930 C051564 Third Appellate District **POPE (NATHAN) ON H.C.**

Petitions for review granted (criminal case)

Respondent's request for continued publication of the opinion after the grant of review is denied.

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S139791 H027519 Sixth Appellate District **PEOPLE v. CROSS (GARY
WENDELL)**

Supplemental briefing ordered

The court requests the parties to file supplemental briefs directed to the following questions: If a general verdict could have rested on two theories, one of which described a legally invalid theory of liability and one of which described a legally valid theory of liability, can the error in the instructions be deemed harmless if it is "clear beyond a reasonable doubt that a rational jury would have found the defendant guilty absent the error"? (*Neder v. United States* (1999) 527 U.S. 1, 18; see *People v. Guiton* (1993) 4 Cal.4th 1116, 1130-1131; *Chrones v. Pulido*, No. 07-544, cert. gr. Feb. 25, 2008.) If so, was any error in the instructions harmless in this case? The parties are directed to file simultaneous supplemental letter briefs on these questions in the San Francisco office of the Supreme Court on or before Tuesday, April 29, 2008. Simultaneous reply briefs may be filed in the San Francisco office of the Supreme Court on or before Monday, May 12, 2008.

S147767 B188278 Second Appellate District, Div. 4 **CABLE CONNECTION, INC.
v. DIRECTV, INC.**

Supplemental briefing ordered

Submission of this matter is vacated, for the purpose of obtaining briefing on the effect of the United States Supreme Court's decision in *Hall Street Associates LLC v. Mattel, Inc.* (March 25, 2008, 06-989) __U.S.__ [2008 WL 762537]. The court requests supplemental briefing on other issues as well. The matter will be deemed resubmitted upon filing of the supplemental reply briefs. (See Cal. Rules of Court, rule 8.524(h).)

The parties are directed to serve and file, in the San Francisco office of the court, simultaneous supplemental letter briefs addressing the following questions on or before May 9, 2008. The parties may serve and file simultaneous letter reply briefs on or before May 30, 2008.

1. In view of the specification in the parties' contract that "any arbitration conducted hereunder shall be governed by the United States Arbitration Act," are the proceedings for judicial review of the arbitration award governed by the Federal Arbitration Act, or the California Arbitration Act?
2. If the California act applies, how should the *Hall Street* decision affect the court's determination of whether a contract provision for review of legal error is enforceable?
3. If review for legal error is permissible, did the arbitrators violate the AAA rule against "consider[ing] the existence of these Supplementary Rules, or any other AAA rules, to be a factor either in favor of or against permitting the arbitration to proceed on a class basis," as DIRECTV argued for the first time in this court in its reply brief? (AAA, Supplementary Rules for Class Arbitrations (Oct. 2003) rule 3.)

S158852 A112197 First Appellate District, Div. 4

**PEOPLE v. STEVENS
(LORENZO)**

Issues ordered limited

Pursuant to rule 8.516 of the California Rules of Court, the issue to be briefed and argued is limited to the following: "Did the trial court abuse its discretion in requiring a uniformed, armed deputy sheriff to sit immediately beside petitioner during his testimony?"

S160418 A115164 First Appellate District, Div. 2

**PEOPLE v. DEAN (RICHARD
O'NEAL)**

Review granted/briefing deferred (8.512(d)(2) criminal case)

The petition for review is granted. Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Hernandez*, S150038 and *In re Raymond C.*, S149728 (see Cal. Rules of Court, rule 8.512(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S160467 A112647 First Appellate District, Div. 5 **PEOPLE v. SMITH (DINO L.)**

Review granted/briefing deferred (8.512(d)(2) criminal case)

The petition for review is granted. Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Towne*, S125677 (see Cal. Rules of Court, rule 8.512(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S160514 B194159 Second Appellate District, Div. 5 **PEOPLE v. RODRIGUEZ (JESSIE)**

Review granted/briefing deferred (8.512(d)(2) criminal case)

The petition for review is granted. Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Towne*, S125677, and *People v. Nguyen*, S154847 (see Cal. Rules of Court, rule 8.512(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S160601 F051882 Fifth Appellate District **PEOPLE v. MCFEARSON (DAVID)**

Review granted/briefing deferred (8.512(d)(2) criminal case)

Respondent's petition for review is granted. Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Gonzalez*, S149898 (see Cal. Rules of Court, rule 8.512(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court. Appellant's petition for review is denied.

Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S161544 B196367 Second Appellate District, Div. 1 **QUIHUIS (ROBERT) v. CITY OF LOS ANGELES**

Review granted/briefing deferred (8.512(d)(2) civil case)

The petition for review is granted. Further action in this matter is deferred pending consideration and disposition of a related issue in *Mays v. City of Los Angeles*, S149455 (see Cal. Rules of Court, rule 8.512(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S150519**THOMAS (EUGENE L.) ON
H.C.**

OSC issued, returnable in Superior Court

The Director of the Department of Corrections and Rehabilitation is ordered to show cause returnable before the Los Angeles County Superior Court, when the matter is placed on calendar, why petitioner is not entitled to relief, i.e., an opportunity to withdraw the plea or a lawful sentence modification that reflects the intent of the parties, based on his allegation that he did not receive one-for-one work time credits from the date he arrived in prison as promised at the time of the plea. (See Attorney General's Informal Response in S150519, filed October 9, 2007, pp. 9-10.) The return is to be filed on or about May 9, 2008.

Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S141415 A106894 First Appellate District, Div. 2**PEOPLE v. CARMICHAEL
(MAILE M.)**

Transferred to Court of Appeal, First Appellate District, Division Two, after hold

The above-entitled matter is transferred to the Court of Appeal, First Appellate District, Division Two, with directions to vacate its decision and to reconsider the cause in light of *People v. Alford* (2007) 42 Cal.4th, 749. (Cal. Rules of Court, rule 8.528(d).)

Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S126087**STOOPS (CHARLES
CRAWFORD) v. STATE BAR
OF CALIFORNIA**

Petition for writ of review denied

S160587**GILLIAM (WILLIAM
JEFFREY) ON ADMISSION**

Petition for writ of review denied

S159604 B197786 Second Appellate District, Div. 2**PEOPLE v. DENT (KYM
ANTHONY)**

Petition for review denied

S159950 B195866 Second Appellate District, Div. 6

Petition for review denied

**PEOPLE v. ANAYA (ESTHER
TORRES)**

S159974 B192314 Second Appellate District, Div. 8

Petition for review denied

**PEOPLE v. HICKS (GEORGE
EDWARD)**

S160099 E041407 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. HUFFMAN, JR.,
(GEORGE DAVID)**

S160118 E040509 Fourth Appellate District, Div. 2

Petitions for review denied

**PEOPLE v. REYES
(MELECIO JUNIOR)**

S160139 B195549 Second Appellate District, Div. 7

Petition for review denied

**PEOPLE v. CARRILLO
(JESUS JAVIER)**

S160180

GAS

Petition for writ of review denied

Chin and Corrigan, JJ., were recused and did not participate.

**MERCED IRRIGATION
DISTRICT v. CALIFORNIA
PUBLIC UTILITIES
COMMISSION (PACIFIC
& ELECTRIC COMPANY)**

S160193 A114875 First Appellate District, Div. 3

Petition for review denied

**PEOPLE v. JOHNSON
(RONDELL)**

S160254 A115023 First Appellate District, Div. 2

Petition for review denied

**PEOPLE v. SCHADER
(HARRY WOODROW)**

S160296 B188344 Second Appellate District, Div. 6

Petition for review denied

**PEOPLE v. MCDERMUT
(MAUREEN MARTINO)**

S160299 D050417 Fourth Appellate District, Div. 1
(DANIEL

Petition for review denied

**PEOPLE v. ARENAS
SANTANO)**

S160305 E040252 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. THOMPSON
(LARRY SCOTT)**

S160321 E040962 Fourth Appellate District, Div. 2
(STEVEN

Petition for review denied

**PEOPLE v. FLORES
THOMAS)**

S160322 F051181 Fifth Appellate District

**PEOPLE v. IBARRA
(JOHNNY LUGO)**

The petition for review is denied without prejudice to any relief which defendant might be entitled after the United States Supreme Court decides *Oregon v. Ice*, No. 07-901 (cert. granted March 17, 2008).

Baxter, J., was recused and did not participate.

S160324 H030442 Sixth Appellate District

**PEOPLE v. STROUSE
(WILLIAM ALFRED)**

Petition for review denied

S160328 A115452 First Appellate District, Div. 3

Petition for review denied

**PEOPLE v. THOMAS
(DANIELLE RAY)**

S160329 H032033 Sixth Appellate District

Petition for review denied

**STROUSE (WILLIAM
ALFRED) ON H.C.**

S160350 A114970 First Appellate District, Div. 2

Petition for review denied

**PEOPLE v. SALMAN (ZEIAD
ISSA)**

S160354 B193913 Second Appellate District, Div. 5

Petition for review denied

**GALVEZ (ART) v. YOO
(TIMOTHY J.)/(BENNETT)**

S160367 B197993 Second Appellate District, Div. 2

Petitions for review denied

Kennard, Chin, and Corrigan, JJ., were recused and did not participate.

**SNYDER (MARY HUTTON) v.
S.C. (CATERPILLAR, INC.)**

S160376 F051844 Fifth Appellate District

Petition for review denied

**PEOPLE v. CONTRERAS
(ANDRE)**

S160386 C051615 Third Appellate District

Petition for review denied

**PEOPLE v. SINGH (SATWAN
TONY)**

S160394 B192446 Second Appellate District, Div. 7

Petition for review denied

**PEOPLE v. MURATALLA
(FEDERICO)**

S160396 D047861 Fourth Appellate District, Div. 1

Petition for review denied

**BILL SIGNS TRUCKING
LLC. v. THE SIGNS FAMILY
LIMITED PARTNERSHIP**

S160402 H030779 Sixth Appellate District

Petition for review denied

**PEOPLE v. VILLACANA
(ALEJANDRO)**

S160404 B197612 Second Appellate District, Div. 6
Petition for review denied

PEOPLE v. ATKINS (LONZO)

S160405 H031018 Sixth Appellate District

Petition for review denied

**PEOPLE v. JUAREZ (JOSE
ANGEL)**

S160421 H031025 Sixth Appellate District

Petition for review denied

**PEOPLE v. STOLL (KEVIN
SEAN)**

S160427 H030322 Sixth Appellate District

Petition for review denied

**PEOPLE v. BITNEY (JERRY
MICHAEL)**

S160438 B194319 Second Appellate District, Div. 4

Petition for review denied

**PEOPLE v. STEPHENS
(RICHARD ALAN)**

S160444 F054457 Fifth Appellate District

Petition for review denied

**ROY (WILLIAM JOSEPH) v.
S.C. (HAUKENBERRY)**

S160445 D048593 Fourth Appellate District, Div. 1

Petition for review denied

PEOPLE v. SNEED (WESLEY JAMES)

S160447 B194835 Second Appellate District, Div. 8

Petition for review denied

PEOPLE v. ABRAMS (LONELL ALLAN)

S160452 D048704 Fourth Appellate District, Div. 1

Petition for review denied

PEOPLE v. MILLER (ARTHUR LEE)

S160458 A117376 First Appellate District, Div. 3

Petition for review denied

L. (L.), IN RE

S160488 D048004 Fourth Appellate District, Div. 1

Petition for review denied

PEOPLE v. HERNANDEZ (JUAN)

S160530 B193062 Second Appellate District, Div. 7

Petition for review denied

PEOPLE v. JACKSON (RODNEY RAY)

S160551 B203198 Second Appellate District, Div. 4

Petition for review denied

Kennard, J., is of the opinion the petition should be granted.

ESPINOZA (JAIME) ON H.C.

S160565 A116732 First Appellate District, Div. 5

Petition for review denied

ACACIA INVESTMENTS LLC. v. CHAN (KIN WING)

S160573 B204848 Second Appellate District, Div. 2

Petition for review denied

**TERRELL (HERMAN) ON
H.C.**

S160580 F051085 Fifth Appellate District

Petition for review denied

**PEOPLE v. STEPHENSON
(REGINALD)**

S160583 A114877 First Appellate District, Div. 5

Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court decides *Giles v. California*, No. 07-6053.

**PEOPLE v. REED II
(DWAYNE CURTIS)**

S160584 B194924 Second Appellate District, Div. 5

Petition for review denied

**ANSWAR LTD. v. BOLD
ENTERTAINMENT LLC.**

S160594 B204966 Second Appellate District, Div. 7

Petition for review denied

**JACKSON (WILLIAM
HENRY) ON H.C.**

S160625 B185391 Second Appellate District, Div. 6

Petitions for review denied

**SAN BERNARDINO,
COUNTY OF v. WALSH
(KENNETH JAMES)**

S160629 E041985 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. THOMPSON
(CHRISON)**

S160638 B192564 Second Appellate District, Div. 1

Petition for review denied

PEOPLE v. GRAY (CURTIS L.)

S160641 B204834 Second Appellate District, Div. 2

Petition for review denied

PARTIDA (DANIEL) ON H.C.

S160642 F051942 Fifth Appellate District

Petition for review denied

Baxter, J., was recused and did not participate.

PEOPLE v. ARCHAMBEAULT (CHAD MITCHELL)

S160650 B196392 Second Appellate District, Div. 2

Petition for review denied

MORROWATTI (NASRIN) v. STATE BAR OF CALIFORNIA

S160661 F051709 Fifth Appellate District

Petition for review denied

Baxter, J., was recused and did not participate.

PEOPLE v. CARROLL (RONALD JAMES)

S160666 H030421 Sixth Appellate District

(LEROY

Petition for review denied

PEOPLE v. ETIENNE JOSEPH)

S160670 B190607 Second Appellate District, Div. 3

Petition for review denied

PEOPLE v. HENDRIX (JAMMIE)

S160675 B198115 Second Appellate District, Div. 8

Petition for review denied

PEOPLE v. PETROSSIAN (ALBERT)

S160678 B193453 Second Appellate District, Div. 2

Petition for review denied

**PEOPLE v. MINJARES
(SERGIO EMILIO)**

S160679 B199993 Second Appellate District, Div. 4

Petition for review denied

**RUBALCAVA (DOMINICK) v.
MARTINEZ (FRANK)/(UNITE
HERE LOCAL 11)**

S160694 B205221 Second Appellate District, Div. 2

Petition for review denied

SATCHELL (PERRY) ON H.C.

S160701 B195786 Second Appellate District, Div. 5

Petition for review denied

**PEOPLE v. GUTIERREZ
(JORGE)**

S160707 B196687 Second Appellate District, Div. 4

Petition for review denied

**PEOPLE v. MULDREW
(CHRISTOPHER D.)**

S160715 G038711 Fourth Appellate District, Div. 3

Petition for review denied

**FINK (DAVID) v. KIRWIN
(WARREN)**

S160716 F053312 Fifth Appellate District

Petition for review denied

HILL (DAOUDA) ON H.C.

S160719 B204893 Second Appellate District, Div. 2

Petition for review denied

SLATER (MICHAEL) ON H.C.

S160720 B187333 Second Appellate District, Div. 7

Petition for review denied

**PEOPLE v. DINGMAN
(EDWARD W.)**

S160721 F052138 Fifth Appellate District

Petition for review denied

**PEOPLE v. DE LA HUERTA
(KEVIN JOE)**

S160725 B193838 Second Appellate District, Div. 2

Petition for review denied

**PEOPLE v. WALLACE
(CURTIS)**

S160726 B196318 Second Appellate District, Div. 1

Petition for review denied

**PEOPLE v. HUNT (TONY
DWAYNE)**

S160729 B204551 Second Appellate District, Div. 2

Petition for review denied

George, C. J., was recused and did not participate.

Kennard and Chin, JJ., were recused and did not participate.

**MCNEIL CONSUMER
HEALTHCARE v. S.C.
(JOHNSON)**

S160732 C051899 Third Appellate District
(JESSIE

Petition for review denied

**PEOPLE v. LABORIN
EMMITE)**

S160744 B205009 Second Appellate District, Div. 1

Petition for review denied

CASTILLO (LUIS) ON H.C.

S160751 B175587 Second Appellate District, Div. 2

Petition for review denied

**PEOPLE v. CARRILLO
(JOSHUA)**

S160759 D051490 Fourth Appellate District, Div. 1 **L. (ANGELO), IN RE**
Petition for review denied

S160764 B199445 Second Appellate District, Div. 6 **PEOPLE v. FORD (DARRIN DWAYNE)**
Petition for review denied without prejudice to any relief to which defendant might be entitled after this court decides *People v. Nguyen*, S154847.

S160766 B204676 Second Appellate District, Div. 4 **RAMIREZ (MARTIN A.) ON H.C.**
Petition for review denied

S160772 F053224 Fifth Appellate District **BARELA (EARNEST) ON H.C.**
Petition for review denied

S160773 G039721 Fourth Appellate District, Div. 3 **GENNIRO (ANTHONY) ON H.C.**
Petition for review denied

S160777 B203323 Second Appellate District, Div. 4 **ASBURY (EDMUND) ON H.C.**
Petition for review denied

S160779 B193631 Second Appellate District, Div. 7 **PEOPLE v. MARTINEZ (GERARDO)**
Petition for review denied

S160789 E039512 Fourth Appellate District, Div. 2 **PEOPLE v. BARAJAS (ERNESTO)**
Petition for review denied

S160801 H030350 Sixth Appellate District
Petitions for review denied

PEOPLE v. WU (HSIU MEI)

S160810 A120101 First Appellate District, Div. 1
**WORKERS’
APPEALS**
Petition for review denied

**ROMO-PADILLA
(GERARDO) v.
COMPENSATION
BOARD**

S160822 D048527 Fourth Appellate District, Div. 1

**PEOPLE v. BEACH (TONYA
LEE)**

Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court decides *Oregon v. Ice*, No. 07-901.

S160825 D050145 Fourth Appellate District, Div. 1

**CRESS (WALTER L.) v.
BOARD OF RETIREMENT
OF THE IMPERIAL COUNTY
EMPLOYEES RETIREMENT
SYSTEM**

Petition for review denied

S160833 B198296 Second Appellate District, Div. 4

**DIAGNOSTIC PRODUCTS
CORPORATION v.
WORKERS’
COMPENSATION APPEALS
BOARD (AMIRDJANIAN)**

Petition for review denied

S160844 C057992 Third Appellate District

**ARANDA (FERNANDO) ON
H.C.**

Petition for review denied

S160849 G039612 Fourth Appellate District, Div. 3

Petition for review denied

**CLARK (ANTHONY
LAMARR) ON H.C.**

S160850 B203424 Second Appellate District, Div. 4
ON

Petition for review denied

**DUCKSWORTH (WILLIE)
H.C.**

S160855 E040698 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. DEAN (RONALD
CLYDE)**

S160859 H030574 Sixth Appellate District

Petition for review denied

**PEOPLE v. KNIGHT
(WAYNE)**

S160866 B204656 Second Appellate District, Div. 4
Petition for review denied

SLAY (CHARLES) ON H.C.

S160867 F051707 Fifth Appellate District

Petition for review denied

**PEOPLE v. NICHOLS (LOYD
WILLIAM)**

S160884 B194280 Second Appellate District, Div. 4

Petition for review denied

**PEOPLE v. MAYS (WILLIE
FLOYD)**

S160885 B196285 Second Appellate District, Div. 3

Petition for review denied

**PEOPLE v. HARRIS (DENNIS
CHARLES)**

S160889 C055227/C055399 Third Appellate District

**SEABRIGHT INSURANCE
COMPANY v. WORKERS'
COMPENSATION APPEALS
BOARD (FITZPATRICK)**

Petition for review denied

S160895 B195727 Second Appellate District, Div. 6

**PEOPLE v. PEREZ
(EZEQUIEL)**

Petition for review denied

S160897 A120161 First Appellate District, Div. 5

**NEXTEL
COMMUNICATIONS
INCORPORATED v. S.C.
(AYYAD)**

Petition for review denied

George, C. J., Baxter, and Werdegarr, JJ., were recused and did not participate.

S160917 B183929/B187085 Second Appellate District, Div. 7 **UZUMCU (MELAHAT &
UMRAN), MARRIAGE OF**

Petitions for review denied

S160945 B191158 Second Appellate District, Div. 5

**PEOPLE v. SALCEDO
(JOSUE)**

Petition for review denied

S160946 C045727 Third Appellate District

**MCGARRY (DANIEL
LAWRENCE) v. SAX (SCOTT
W.)**

Petition for review denied

S160968 A115018 First Appellate District, Div. 4

Petition for review & depublication request(s) denied

**BARSETTI (LARRY) v. CITY
& COUNTY OF SAN
FRANCISCO**

S161004 B204644 Second Appellate District, Div. 5
Petition for review denied

PACHECO (HELEN) ON H.C.

S161006 G039449 Fourth Appellate District, Div. 3

Petition for review denied

The California Insurance Guarantee Association's motion to strike the unpublished opinion filed with the Court of Appeal as exhibit 13 to the petition for writ of review, and the portions of the petition for review filed in this court that are based on that opinion, is denied.

**NIKE USA v. WORKERS'
COMPENSATION APPEALS
BOARD (CALIFORNIA
INSURANCE GUARANTEE
ASSOCIATION)**

S161007 B197571 Second Appellate District, Div. 4

Petition for review denied

**PEOPLE v. BROWN (DANIEL
CHRISTOPHER)**

S161014 B160939 Second Appellate District, Div. 5

Petition for review denied

**LEVIN (BARBARA A.) v.
UNITED AIRLINES**

S161023 B204426 Second Appellate District, Div. 5

Petition for review denied

**FLOYD, JR., (BOBBY E.) ON
H.C.**

S161039 B197391 Second Appellate District, Div. 1
Petition for review denied

Z. (LAUREN), IN RE

S161084 E041538 Fourth Appellate District, Div. 2

Petition for review denied

**SMITH (RONALD D.) v. EARP
(JUDY HALSTEAD)**

S161113 H030208 Sixth Appellate District

Petition for review denied

**PEOPLE v. BUENROSTRO
(JAVIER)**

S161120 G038255 Fourth Appellate District, Div. 3

Petition for review denied

**BLANCO (MICHAEL) v.
BAXTER HEALTHCARE
CORPORATION**

S161124 C054208 Third Appellate District

Petition for review denied without prejudice to any relief to which defendant might be entitled after this court decides *People v. Nguyen*, S154847.

**PEOPLE v. JIMENEZ
(CHRISTOPHER GLENN)**

S161125 F050811 Fifth Appellate District

Petition for review denied

Baxter, J., was recused and did not participate.

**PEOPLE v. PETTIS (TERRY
LEE)**

S161135 B195104 Second Appellate District, Div. 4

Petition for review denied

**PEOPLE v. LOPEZ
(GERARDO)**

S161137 H029863 Sixth Appellate District

Petition for review denied

PEOPLE v. SILVA (ANDREW)

S161146 C054754 Third Appellate District

Petition for review denied

PEOPLE v. DAILEY (JASON ALAN)

S161150 B195793 Second Appellate District, Div. 3
(HENRY

Petition for review denied

PEOPLE v. MAJANO GUERRA)

S161153 C054666 Third Appellate District

Petition for review denied

PEOPLE v. SALAZAR (HUGO AGUILAR)

S161156 B197522 Second Appellate District, Div. 1

Petition for review denied

PERRY (JAMES) v. TOPPING (TOM)

The request for an order directing publication of the opinion is denied.

S161165 B195397 Second Appellate District, Div. 6

Petition for review denied

PEOPLE v. DWYER (JOSEPH JAMES)

S161171 B194657 Second Appellate District, Div. 6

Petition for review denied

ANDERSEN (HOWARD), ESTATE OF

S161173 D049821 Fourth Appellate District, Div. 1

Petition for review denied without prejudice to any relief to which defendant might be entitled after this court decides *People v. Nguyen*, S154847.

PEOPLE v. SMITH (LORENZO DUWAN)

S161174 C054177 Third Appellate District

Petition for review denied

PEOPLE v. VANG (COMDY)

S161175 B196296 Second Appellate District, Div. 5
Petition for review denied

A. (ROGER), IN RE

S161177 B192764 Second Appellate District, Div. 6
(DEVON
Petition for review denied

**PEOPLE v. WATSON
JAY)**

S161180 A114257/A114273 First Appellate District, Div. 4
Petition for review & publication request(s) denied
George, C. J., was recused and did not participate.

**CARDINAL HEALTH 110,
INC. v. STATE BOARD OF
EQUALIZATION**

S161187 C052802 Third Appellate District
Petition for review denied

**CASSIDY (BONITA K.) v.
CASSIDY (JAMES M.)**

S161188 A114199 First Appellate District, Div. 2
Petition for review denied

**PEOPLE v. WHITE (SEAN
EDWARD)**

S161193 F050714 Fifth Appellate District
Petition for review denied

**PEOPLE v. MARTINEZ
(GABRIEL NORMAN)**

S161194 B205587 Second Appellate District, Div. 5
Petition for review denied

R. (MARIO) v. S.C. (PEOPLE)

S161200 G036413 Fourth Appellate District, Div. 3
Petition for review denied

**PEOPLE v. MORTON (ROY
LEE)**

S161203 B191278 Second Appellate District, Div. 7

Petition for review denied

**JESSEN (DAVID) v. MENTOR
CORPORATION**

S161206 E041713 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. SANTOS (JOSE
RODOLFO)**

S161211 A117260 First Appellate District, Div. 1

Petition for review denied

**PEOPLE v. LEMON
(MICHAEL BRECK)**

S161212

Petition for writ of mandate/prohibition denied

**TATE (CLARENCE
DEMETRIUS) v. S.C.
(PEOPLE)**

S161213 E041894 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. PLOTCHYK
(JOHN)**

S161214 B196194 Second Appellate District, Div. 5

Petition for review denied

**PEOPLE v. WALLACE
(ANGELA FAWN)**

S161220 B190891 Second Appellate District, Div. 8

Petition for review denied

The request for an order directing publication of the opinion is denied.

**PEOPLE v. GARCIA
(JOHNNY SCOTT) &
MARQUEZ (DANIEL)**

S161225 C050299 Third Appellate District
Petition for review & depublication request(s) denied

**BURDETTE (JOHN J.) v.
CARRIER CORPORATION**

S161226 E044663 Fourth Appellate District, Div. 2
Petition for review denied
The stay previously issued by this court on February 27, 2008, is hereby dissolved.

**LUQUE (JAVIER JOAQUIN)
v. S.C. (PEOPLE)**

S161227 H032586 Sixth Appellate District
Petition for review denied

**ELDRIDGE (HARRY) v. S.C.
(PEOPLE)**

S161234 B195478 Second Appellate District, Div. 1
Petition for review denied

**PEOPLE v. BROWN
(MITCHELL RAY)**

S161235 E042240 Fourth Appellate District, Div. 2
Petition for review denied

**FREDERICKS (RICHARD R.)
v. SANTA ROSA COVE
ASSOCIATION**

S161236 B198736 Second Appellate District, Div. 1
Petition for review denied

**PEOPLE v. WHITLEY (JESSE
CORNELIUS)**

S161239 C051976 Third Appellate District
Petition for review denied

**PEOPLE v. HUFF (ERICK
REGINALD)**

S161240 B192460 Second Appellate District, Div. 5

Petition for review denied

**PEOPLE v. GUTIERREZ
(SERGIO MANRIQUEZ)**

S161241 B188094 Second Appellate District, Div. 6

Petition for review denied

**PEOPLE v. ERVIN (GARY
CHESTER)**

S161247

Petition for writ of mandate/prohibition denied

**FINE (RICHARD ISAAC) v.
STATE BAR OF
CALIFORNIA**

S161252 B194272 Second Appellate District, Div. 8

Petition for review denied

**PEOPLE v. BANOS (MANUEL
C.)**

S161253 F052322 Fifth Appellate District

Petition for review denied without prejudice to any relief to which defendant might be entitled after this court decides *People v. Nguyen*, S154847.

**PEOPLE v. SNOWDEN III
(CURTIS)**

S161272 B197341 Second Appellate District, Div. 1

Petition for review denied

**PEOPLE v. MUNOZ, JR.,
(OSCAR)**

S161281 D048633 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. TAYLOR
(ROBERT E.)**

S161282 B195686 Second Appellate District, Div. 4

Petition for review denied

**PEOPLE v. HYPOLITE
(STEVEN)**

S161284 H030386/H030477 Sixth Appellate District

Petition for review denied

**AMTOWER (RICHARD) v.
PHOTON DYNAMICS, INC.**

S161297 D048394 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. TAYLOR
(ROBERT E.)**

S161298 C053363 Third Appellate District

Petition for review denied

**PEOPLE v. HOUK (LARRY
NEIL)**

S161300 G037655 Fourth Appellate District, Div. 3

Petition for review denied

**PEOPLE v. ACOSTA, JR.,
(FRANK)**

S161301 B197646 Second Appellate District, Div. 1

Petition for review denied

**PEOPLE v. CLARK (DORA
LEE)**

S161306 F051451 Fifth Appellate District

Petition for review denied

**PEOPLE v. MILLSAP
(FERNANDEZ SINGLETON)**

S161308 F052075 Fifth Appellate District

Petition for review denied

**PEOPLE v. JONES (RYAN
FITZGERALD)**

S161314 B203431 Second Appellate District, Div. 4
Petition for review denied

CEJA (BISMARCK) ON H.C.

S161319 B190825 Second Appellate District, Div. 6

Petition for review denied

**PEOPLE v. RUBEROE
(CHANNA P.)**

S161334 B191985 Second Appellate District, Div. 7
Petition for review denied

PEOPLE v. AMAYA (JOSE)

S161335 H030820 Sixth Appellate District

Petition for review denied

**PEOPLE v. LOPEZ (JESUS
CARLOS)**

S161339 F051681 Fifth Appellate District

Petition for review denied

**PEOPLE v. MURILLO
(RONNIE JESS)**

S161343 A115441 First Appellate District, Div. 4

Petition for review denied

**PEOPLE v. TAYLOR (JERRY
THOMAS)**

S161346 E043285 Fourth Appellate District, Div. 2
Petition for review denied

H. (R.), IN RE

S161347 B194509 Second Appellate District, Div. 4

Petition for review denied

**PEOPLE v. AGUILAR
(DANNY)**

S161348 B194041 Second Appellate District, Div. 3

Petition for review denied

**PEOPLE v. MOORE (JOSEPH
D.)**

S161349 C053956 Third Appellate District

Petition for review denied

**PEOPLE v. FLORES
(ANTONIO LARACENTE)**

S161351 C058156 Third Appellate District

Petition for review denied

GONZALES (JOSE) ON H.C.

S161359 B197528 Second Appellate District, Div. 4

Petition for review denied

**PEOPLE v. BRIENO
(FRANCISCO)**

S161367 F052085 Fifth Appellate District

Petition for review denied

**PEOPLE v. BUSTOS
(LORRAINE)**

S161369 B194755 Second Appellate District, Div. 8

Petition for review denied

**KRISHNAN (KRIS) v.
CEDARS-SINAI MEDICAL
CENTER**

S161374 A120646 First Appellate District, Div. 4

Petition for review denied

LEWIS (MILTON) ON H.C.

S161378 C053616 Third Appellate District

Petition for review denied

**PEOPLE v. GARZA
(CANDELARIO)**

S161381 A115352 First Appellate District, Div. 3

Petition for review denied

**PEOPLE v. RIVAS
(RODERICK MICHAEL)**

S161400 B194681 Second Appellate District, Div. 6

Petition for review denied

**PEOPLE v. COULSON
(MAXWELL)**

S161403 D050680 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. RAMS
(CHRISTINE)**

S161405 D051293 Fourth Appellate District, Div. 1

Petition for review and application for stay denied

**CASHCALL, INC. v. S.C.
(COLE)**

S161407 B203617 Second Appellate District, Div. 4

Petition for review denied

**WATSON (NORWOOD) ON
H. C.**

S161410 A116392 First Appellate District, Div. 4

Petition for review denied

**PEOPLE v. MASON (ROBERT
LEE)**

S161412 B205111 Second Appellate District, Div. 6
(MAURICE)

Petition for review denied

**VAN ROBERSON
v. S.C. (PEOPLE)**

S161415	E045184 Fourth Appellate District, Div. 2	BROWN (JOEDON) v. S.C. (PEOPLE)
Petition for review and application for stay denied		
S161418	E041707/E042398 Fourth Appellate District, Div. 2	D. (ALEXIS), IN RE
Petition for review denied		
S161419	E042737 Fourth Appellate District, Div. 2	A. (HALEY), IN RE
Petition for review denied		
S161422	C058127 Third Appellate District	PAYNE (JOHN) ON H.C.
Petition for review denied		
S161431	B205642 Second Appellate District, Div. 4	BENAVIDES (MITCHELL) v. S.C. (PEOPLE)
Petition for review denied		
S161437	H031922 Sixth Appellate District	LOUMENA (WYLMINA & TIMOTHY), MARRIAGE OF
Petition for review denied		
S161439	G037578 Fourth Appellate District, Div. 3	H. (JUSTIN), IN RE
Petition for review denied		
S161440	A115527 First Appellate District, Div. 3	PEOPLE v. PECK (JOSEPH LEE)
Petition for review denied		
S161441	F051368 Fifth Appellate District	PEOPLE v. GARCIA (DANIEL)
Petition for review denied		

S161445 B195511 Second Appellate District, Div. 8

Petition for review denied

**PEOPLE v. SHEARD
(SHAREEF)**

S161449 E041081 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. PATILLO
(DANIEL JOE)**

S161456 B197829 Second Appellate District, Div. 1

Petition for review denied

**BAYER-BEL (PAULETTE) v.
LITOVSKY (ANNA)**

S161457 H032570 Sixth Appellate District

Petition for review denied

**WOODS II (EARNEST C.) ON
H.C.**

S161460 A118284 First Appellate District, Div. 3

Petition for review denied

**PEOPLE v. CLAPHAM
(RICHARD ALLEN)**

S161464 H032606 Sixth Appellate District

Petition for review denied

**WOODS II (EARNEST C.) ON
H.C.**

S161471 F046938 Fifth Appellate District

Petition for review denied

**PEOPLE v. RIVERA
(FRANCISCO RAMIRO)**

S161481 F051423 Fifth Appellate District

Petition for review denied

**PEOPLE v. TATE (TERRY
WAYNE)**

S161491 G038025 Fourth Appellate District, Div. 3

Petition for review denied

PEOPLE v. CARLSEN (RYAN LEE)

S161495 A113564 First Appellate District, Div. 5

Petition for review denied

PEOPLE v. ARMSTRONG (EDWARD BERRY)

S161496 B192473 Second Appellate District, Div. 3

Petition for review denied

PEOPLE v. HUNT (MICHAEL)

S161502 B196485 Second Appellate District, Div. 7

Petition for review denied

PEOPLE v. POWELL (EDUARDO EMANUEL)

S161504 B169857 Second Appellate District, Div. 2
E.)

Petition for review denied

PEOPLE v. SMITH (JAMIE

S161505 B188488 Second Appellate District, Div. 2

Petition for review denied

PEOPLE v. THOMAS (MICHAEL JEROME)

S161512 B193962 Second Appellate District, Div. 8

Petition for review denied

PEOPLE v. MALDONADO (AUSTEBERTO DANIEL)

S161526 E040852 Fourth Appellate District, Div. 2

Petition for review denied

PEOPLE v. ESPINOZA (PETER GALLARDO)

S161530 B193632 Second Appellate District, Div. 2

Petition for review denied

**MAKAROWSKI (NADEJDA)
v. MORRISON (MARY
CHRISTINA)**

S161533 F052164 Fifth Appellate District

Petition for review denied

**PEOPLE v. MACIEL (JAVIER
IGNACIO)**

S161543 A114926 First Appellate District, Div. 3

Petition for review denied

**PEOPLE v. BAUTISTA
(CHRISTOPHER ANTHONY)**

S161549 A120675 First Appellate District, Div. 3

Petition for review denied

**RADONICH, JR., (DONALD
E.) ON H.C.**

S161554 B192897 Second Appellate District, Div. 8

Petition for review denied

**SIEGEL (JANE E.) v.
MITCHELL, SILBERBERG &
KNUPP**

S161557 B190477 Second Appellate District, Div. 4

Petition for review denied

**ARONSOHN (KRISTINE) v.
CITY OF LOS ANGELES**

S161671 B205804 Second Appellate District, Div. 6

Petition for review denied

**WILLIAMS (BRIAND) v. S.C.
(PEOPLE)**

S161922 E045280 Fourth Appellate District, Div. 2

Petition for review and application for stay denied

**SERRANO (ZEUS) v. S.C.
(PEOPLE)**

S161959 B206193 Second Appellate District, Div. 6

Petition for review and application for stay denied

**WILLIAMS (BRIAND) ON
H.C.**

S162350 G039925 Fourth Appellate District, Div. 3

Petition for review and application for stay denied

**STEADFAST INSURANCE
COMPANY v. S.C. (PETRO-
DIAMOND, INC.)**

S162442 B206900 Second Appellate District, Div. 4

Petition for review and application for stay denied

**WEISSBURG (DIANE B.) v.
S.C. (LOS ANGELES
COUNTY DEPARTMENT OF
CHILDREN AND FAMILY
SERVICES)**

S153062

Petition for writ of habeas corpus denied

**SAAVEDRA (MICHAEL
ANTHONY) ON H.C.**

S154918

ON

Petition for writ of habeas corpus denied

**DAMJANOVIC (ROBERT)
H.C.**

S156195

Petition for writ of habeas corpus denied

ORTIZ, JR., (EDDIE) ON H.C.

S156408

Petition for writ of habeas corpus denied

**HUGHLEY (MICHAEL) ON
H.C.****S156435**

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *United States v. MacCollom* (1976) 426 U.S. 317.)**PRICE (WILLIAM HENRY)
ON H.C.****S156438**

Petition for writ of habeas corpus denied

**CASTILLO (MATEO AVINA)
ON H.C.****S156558**

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780.)**ROBINSON (MICHAEL
TAFT) ON H.C.****S156820
H.C.**

Petition for writ of habeas corpus denied

BARNES (GREGG L.) ON**S156946**

Petition for writ of habeas corpus denied without prejudice to any relief to which petitioner might be entitled after this court decides *In re Gomez*, S155425: whether a habeas corpus petitioner whose conviction became final after *Blakely v. Washington* (2004) 542 U.S. 296 but before *Cunningham v. California* (2007) 549 U.S. ___, 127 S.Ct. 856, is entitled to the benefit of the high court's decision in *Blakely*.

**SHEPERD (RICHARD
JASON) ON H.C.****S157043**

Petition for writ of habeas corpus denied

LINSON (VAUGHN) ON H.C.

S157063

Petition for writ of habeas corpus denied

**THOMPSON (CURTIS LEE)
ON H.C.**

S157081

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Miller* (1941) 17 Cal.2d 734.)

MORROW (JAMES) ON H.C.

S157093

Petition for writ of habeas corpus denied

**GUIDRY (RONALD WAYNE)
ON H.C.**

S157111

Petition for writ of habeas corpus denied

**PADILLA (MARIO GARCIA)
ON H.C.**

S157112

Petition for writ of habeas corpus denied

**HUTCHINS (CLIFTON) ON
H.C.**

S157116

Petition for writ of habeas corpus denied

**MANESS (CARLTON RAY)
ON H.C.**

S157180

Petition for writ of habeas corpus denied

SERNA (MARTIN) ON H.C.

S157181

Petition for writ of habeas corpus denied

**TAYLOR (WILLIE D.) ON
H.C.**

S157186

PAUL)

Petition for writ of habeas corpus denied

S157190

Petition for writ of habeas corpus denied

S157192

Petition for writ of habeas corpus denied

S157195

Petition for writ of habeas corpus denied
(See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S157201

Petition for writ of habeas corpus denied

S157207

Petition for writ of habeas corpus denied

S157213

EUGENE)

Petition for writ of habeas corpus denied

S157216

Petition for writ of habeas corpus denied
(See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**ROSENBERG (ROGER
ON H.C.**

WRAY (DOUGLAS) ON H.C.

**ROBINSON (WINFRED
EARL) ON H.C.**

**KING (DEMARKAS S.) ON
H.C.**

MCGUIRE (MARK) ON H.C.

SMITH (JOSHUA R.) ON H.C.

**JOHNSON (BYRON
ON H.C.**

**ZINNAMON (STEVEN) ON
H.C.**

S157217

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)**PORTER (ESSEX) ON H.C.****S157219****H.C.**

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)**COX (JEFFREY LEE) ON****S157228**

Petition for writ of habeas corpus denied

(See *In re Dexter* (1979) 25 Cal.3d 921.)**TOWNSEND, JR., (WILLIAM)
ON H.C.****S157229**

Petition for writ of habeas corpus denied

REACH (RONALD) ON H.C.**S157233**

Petition for writ of habeas corpus denied

**DOMINGUEZ (PAUL) ON
H.C.****S157234**

Petition for writ of habeas corpus denied

(See *In re Waltreus* (1965) 62 Cal.2d 218; *In re Lindley* (1947) 29 Cal.2d 709; *In re Dixon* (1953) 41 Cal.2d 756.)**GAINES (RODNEY) ON H.C.****S157235**

Petition for writ of habeas corpus denied

**FRANKLIN (TIMOTHY
P.) ON H.C.**

S157240

Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)**THATCHER (DAVID
CHARLES) ON H.C.****S157241**

Petition for writ of habeas corpus denied

KAO (MING HWA) ON H.C.**S157244**

Petition for writ of habeas corpus denied

(See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)**BAXTER (DAVID) ON H.C.****S157258**

Petition for writ of habeas corpus denied

MARTIN (LEE) ON H.C.**S157261**

Petition for writ of habeas corpus denied

**RILEY (GERALD WILLIS)
ON H.C.****S157266****MONTANA)**

Petition for writ of habeas corpus denied

**HOWARD (YVES
ON H.C.****S157268**

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780.)**JACKSON II (LOUIS T.) ON
H.C.****S157283**

Petition for writ of habeas corpus denied

ORANGE (EUGENE) ON H.C.

S157285

Petition for writ of habeas corpus denied
(See *In re Dexter* (1979) 25 Cal.3d 921.)

MIMMS (DEMOND) ON H.C.

S157288

Petition for writ of habeas corpus denied

SMITH (GAYLORD) ON H.C.

S157291

Petition for writ of habeas corpus denied

HERRING (FRANK) ON H.C.

S157293

Petition for writ of habeas corpus denied

OWENS (PHIL) ON H.C.

S157294

Petition for writ of habeas corpus denied
(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**MILLER (CURTIS E.) ON
H.C.**

S157297

Petition for writ of habeas corpus denied

**HARPER (JOHN EMERSON)
ON H.C.**

S157301

Petition for writ of habeas corpus denied

**HOLLYFIELD (DARNELL
M.) ON H.C.**

S157307

Petition for writ of habeas corpus denied

ANDRADE (LARRY) ON H.C.

S157316

Petition for writ of habeas corpus denied

**KAPPAS (DEREK DAMON)
ON H.C.****S157320**

Petition for writ of habeas corpus denied

DIAZ (ANGEL A.) ON H.C.**S157322****ON**

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)**WILKERSON (MICHAEL)
H.C.****S157323**

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Miller* (1941) 17 Cal.2d 734.)**WILLIAMS (JOSEPH) ON
H.C.****S157324**

Petition for writ of habeas corpus denied

**MARIANO (KEVIN A.) ON
H.C.****S157327**

Petition for writ of habeas corpus denied

**LAMONT (HERBERT
BRUCE) ON H.C.****S157334**

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Miller* (1941) 17 Cal.2d 734.)**WARREN (TIMOTHY) ON
H.C.**

S157339

Petition for writ of habeas corpus denied
(See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**CASTRO (JORGE ALBERTO)
ON H.C.**

S157342

Petition for writ of habeas corpus denied

KRISKE (WILLIAM) ON H.C.

S157351

Petition for writ of habeas corpus denied

**LEVY (RICHARD STEPHEN)
ON H.C.**

S157362

Petition for writ of habeas corpus denied

**PATTERSON (NORMAN) ON
H.C.**

S157366

Petition for writ of habeas corpus denied
(See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**PENALOZA (ERIBERTO) ON
H.C.**

S157367

Petition for writ of habeas corpus denied

**WALLAKER (RICHARD A.)
ON H.C.**

S157368

Petition for writ of habeas corpus denied
(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**DEDMON (ANDRE LAMOR)
ON H.C.**

S157371

Petition for writ of habeas corpus denied

**ARREDONDO (ROBERT) ON
H.C.****S157373**

Petition for writ of habeas corpus denied

**DIETLE (DARRELL L.) ON
H.C.****S157406**

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)**AMMONS (ANTHONY) ON
H.C.****S157407**

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)**MATTHEWS (IVAN LEE) ON
H.C.****S157408**

Petition for writ of habeas corpus denied

PUGA (JOSE LUIS) ON H.C.**S157409****H.C.**

Petition for writ of habeas corpus denied

CASTRO (RICARDO) ON**S157418**

Petition for writ of habeas corpus denied

**STRONG (JEFFREY
MARTIN) ON H.C.****S157421**

Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Waltreus* (1965) 62 Cal.2d 218.)**ARCURI (NAOMI) ON H.C.**

S157422

Petition for writ of habeas corpus denied

LOVE (BERNARD) ON H.C.

S157426

Petition for writ of habeas corpus denied

**BUTLER (DARELL LEE)
ON H.C.**

S157429

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)

GARLICK (KERRY) ON H.C.

S157435

Petition for writ of habeas corpus denied

ARREOLA (OSCAR) ON H.C.

S157441

Petition for writ of habeas corpus denied

**ARMSTEAD (DARYL) ON
H.C.**

S157491

Petition for writ of habeas corpus denied

**WILKINS (TIMOTHY
DIONDRAY) ON H.C.**

S157492

Petition for writ of habeas corpus denied

**MARTIN (KENNETH RAY)
ON H.C.**

S157493

H.C.

Petition for writ of habeas corpus denied

CERVANTES (JOHN) ON

S157832**DEDMON (ANDRE LAMOR)
ON H.C.**

Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734.)**S158633****MORROW (JAMES) ON H.C.**

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Miller* (1941) 17 Cal.2d 734.)**S159910****THOMAS (EDWARD) ON
H.C.**

Petition for writ of habeas corpus denied

(See *In re Dexter* (1979) 25 Cal.3d 921.)**S159977****CARR (ORRIN I.) ON H.C.**

Petition for writ of habeas corpus denied

S159993**BOYD (MOBASSA) ON H.C.**

Petition for writ of habeas corpus denied

S160001**POPULIN (LUCAS) ON H.C.**

Petition for writ of habeas corpus denied

(See *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Robbins* (1998) 18 Cal.4th 770, 780.)**S161074****HOLLIS (MARVIN GLENN)
ON H.C.**

Petition for writ of habeas corpus denied

(See *In re Dexter* (1979) 25 Cal.3d 921.)

S161102

Petition for writ of habeas corpus denied

S161130

JASON)

Petition for writ of habeas corpus denied

(See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S161155

Petition for writ of habeas corpus denied

S161260

Petition for writ of habeas corpus denied

(See *In re Wessley W.* (1981) 125 Cal.App.3d 240, 246.)

S161262

Petition for writ of habeas corpus denied

S161267

Petition for writ of habeas corpus denied

S161443

ON

Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750.)

**KOURI (MICHAEL A.) ON
H.C.**

**ELROY (LAWRENCE
ON H.C.**

**JACKSON (FATEEM L.) ON
H.C.**

**CHENEY, JR., (ROBERT
LINDSAY) ON H.C.**

**TILEI (PUNAOFO TSUGITO)
ON H.C.**

**MOSS (ANDREW BERNARD)
ON H.C.**

**SANTIAGO (RICO JESUS)
H.C.**

S161480

Petition for writ of habeas corpus denied

SHORT (STEVEN) ON H.C.

S161482

Petition for writ of habeas corpus denied

**GOUDEAU (BENJAMIN) ON
H.C.**

S161541

Petition for writ of habeas corpus denied

**BALTIMORE (JULIAN) ON
H.C.**

S161562

Petition for writ of habeas corpus denied
(See *In re Dexter* (1979) 25 Cal.3d 921.)

**CRAMER (LATANYA) ON
H.C.**

S161567

Petition for writ of habeas corpus denied
(See *In re Clark* (1993) 5 Cal.4th 750.)

**PARKS (CHARLES AUSTIN)
ON H.C.**

S161574

Petition for writ of habeas corpus denied

BELL (HORACE) ON H.C.

S161595

Petition for writ of habeas corpus denied
(See *In re Dexter* (1979) 25 Cal.3d 921; *In re Clark* (1993) 5 Cal.4th 750; *In re Miller* (1941) 17 Cal.2d 734.)

**CRAMER (LATANYA) ON
H.C.**

S161690**BROWN (TOMMY RAY) ON
H.C.**

Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Dexter* (1979) 25 Cal.3d 921.)**S161695****MINO (RANDY RAY) ON H.C.**

Petition for writ of habeas corpus denied

S161757**REVELL (FRANKLIN
DELANO) ON H.C.**

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780.)**S161802****DUPERRET (DANIELLE J.)
ON H.C.**

Petition for writ of habeas corpus denied

S161810**MCINTOSH (WESLEY) ON
H.C.**

Petition for writ of habeas corpus denied

(See *In re Dixon* (1953) 41 Cal.2d 756.)**S161813****ROTROFF (DENIS K.) ON
H.C.**

Petition for writ of habeas corpus denied

S161830**PETERSON (DOUGLAS W.)
ON H.C.**

Petition for writ of habeas corpus denied

(See *In re Miller* (1941) 17 Cal.2d 734.)

S161872

Petition for writ of habeas corpus denied

THOMAS II (PAUL) ON H.C.**S161875**

Petition for writ of habeas corpus denied

**THOMAS (EDWARD LEE)
ON H.C.****S161950**

Petition for writ of habeas corpus denied

(See *In re Dexter* (1979) 25 Cal.3d 921; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)**BELL (HORACE) ON H.C.****S161985**

Petition for writ of habeas corpus denied

**WRIGHT (RAYMOND) ON
H.C.****S162171**

Petition for writ of habeas corpus & stay denied

**JOHNSON (MICHAEL) ON
H.C.****S162234**

Petition for writ of habeas corpus denied

**FERGUSON (ANDRE M.) ON
H.C.****S160529**D051172 Fourth Appellate District, Div. 1
Publication request denied (case closed)**P. (CALVIN), IN RE****S160863**D049332 Fourth Appellate District, Div. 1
Publication request denied (case closed)**PANTHER (JAMES B.) v.
MAZZARELLA (MARK C.)**

S161192 C053076 Third Appellate District

**PEOPLE v. LEXINGTON
NATIONAL INSURANCE
COMPANY**

Depublication request denied (case closed)

S161266 B190479 Second Appellate District, Div. 3

**SHELLER (DAVID L.) v. S.C.
(FARMERS NEW WORLD
LIFE INSURANCE
COMPANY)**

Depublication request denied (case closed)

The request for an order directing partial-depublication of the opinion in the above-entitled appeal is denied.

S068536

**PEOPLE v. MCWHORTER
(RICHARD)**

Withdrawal of counsel allowed by order

Good cause appearing, appointed habeas corpus/executive clemency counsel's "second motion to withdraw as counsel of record" on behalf of appellant Richard McWhorter, filed February 26, 2008, is granted.

The order appointing Phyllis M. Quatman as counsel of record for appellant Richard McWhorter, filed September 23, 2005, is hereby vacated.

Michael G. Millman, as Executive Director of the California Appellate Project in San Francisco, is hereby appointed to serve as interim habeas corpus/executive clemency counsel of record for appellant Richard McWhorter. Quatman is hereby directed to deliver to Executive Director Millman, within 30 days from the filing of this order, all case transcripts, case files, habeas corpus investigation work product, trial files, investigation reports, 60-day status reports, and all related materials that she has obtained from appellant or from his appellate or trial counsel, paralegals, experts and investigators, or from any other source.

S034800

**PEOPLE v. DE HOYOS
(RICHARD LUCIO)**

Record augmentation granted in part/denied in part

Appellant's "Supplemental Motion to Correct, Augment and Settle the Record on Appeal," filed on December 18, 2007, is granted in part and denied in part, as set forth below. Because there were two complete trials, for the purposes of this order the following abbreviations will be used for the record: The Clerk's Transcript of the first trial will be referred to as "C.T. I"; the Clerk's Transcript of the second trial will be referred to as "C.T. II"; the Reporter's Transcript of the first trial will be referred to as "R.T. I"; the Reporter's Transcript of the second trial will be referred to

as “R.T. II”; the Augmented/Corrected Clerk’s Transcript will be referred to as “Aug. C.T.” For each transcript, the volume number precedes the transcript designation, and the page numbers follow it. (For example, “17 R.T. I 3924:7” means volume 17 of the reporter’s transcript of the first trial, at page 3924, at line 7.)

The following requests for correction of the record are granted:

1. 1 C.T. II 81:6: Indicate that proceedings were adjourned to 1/22/90, not 1/23/90.
2. 2 Aug. C.T. 364: Change “January 10, 1999” to “January 10, 2000.”
3. 4 Aug. C.T. 903: Renumber second page 903 as 903A.
4. 6 Aug. C.T. 1746:45 et seq.: Pages 4, 6, and 8 of the jury questionnaire of R.S. are each erroneously marked as R.T. 1746. Those pages should be renumbered as pages 1746-45a, 1746-46a, and 1746-47a, respectively.
5. 9 Aug. C.T. 2587-2588: The unnumbered page between pages 2587 and 2588 (i.e. page 8 of the jury questionnaire) should be numbered as 2587a.
6. 5 R.T. I 1106:25: The notation at 5 R.T. I 1106:25 indicating that pages 1105 to 1110 are sealed should be changed. The sealed pages are in fact numbered 1108 to 1114. Sealed pages 1111 to 1114 should also be renumbered as pages 1110a to 1110d.
7. 5 R.T. I 1130 (sealed): Sealed pages 1130 to 1135 should be renumbered as pages 1131 to 1136.
8. 5 R.T. I 1162 (sealed): Sealed page 1162 attached to sealed pages 1163 to 1167 should be replaced with a copy of 5 R.T. I 1163. Sealed page 1163 should be renumbered as page 1163a.
9. 6 R.T. I. 1388:6: Change “The Court” to “Mr. Gannon.”
10. 13 R.T. I 3097: Renumber second page 3097 as 3097A.
11. 17 R.T. I 3924:7: Change “The Court” to “Mr. Gannon.”
12. R.T. Vol. A 4895:17: Change “paragraph” to “photograph.”
13. R.T. Vol. A 4975:23: Change “about I” to “about it.”
14. R.T. Vol. A 4983:1: Change “is and area” to “is an area.”
15. R.T. Vol. AA 5018:25: Change “correct. Had you known” to “correct. Q: Had you known.”
16. R.T. Vol. AA 5054:4: [Indicate that there was a break in the proceedings.]
17. 7 Terminated Voir Dire Aug. 1870:24: Change “every a question” to “even a question.”
18. 4 R.T. II 775:11: Change “cases?” to “phases?”
19. 8 R.T. II 1806:24-26: [Transcript should be corrected to indicate that prospective juror Cabrera was examined in the presence of the other prospective jurors.]
20. 13 R.T. II 2838:21: Change “Mr. Grimes” to “Mr. Gannon.”
21. 13 R.T. II 2838:23: Change “Mr. Gannon” to “Mr. Grimes.”
22. 13 R.T. II 2860:25: Change “Mr. Grimes” to “Mr. Gannon.”
23. 17 R.T. II 3532:24: Change “fine” to “find.”
24. 18 R.T. II 3978:22: Change “No stipulated” to “So stipulated.”
25. 18 R.T. II 4007:7: Change “real quit” to “real quick.”
26. 18 R.T. II 4013:9: Change “I. Probably did” to “I probably did.”

27. 18 R.T. II 4037:24: Change “indicated” to “intoxicated.”
28. 18 R.T. II 4043:9: Change “About 12:30, 12:00 between 12:30” to “About 12:30, between 12:00 and 12:30.”
29. 18 R.T. II 4079:25: Change “date” to “data.”
30. 18 R.T. II 4095:2: Change “away” to “awake.”
31. 19 R.T. II 4177:14: Change “neuroceles” to “nerve cells.”
32. 19 R.T. II 4180:7: Change “changed?” to “change.”
33. 19 R.T. II 4180:8: Change “change it?” to “change it.”
34. 19 R.T. II 4183:4: Change “time” to “times.”
35. 19 R.T. II 4211:15: Change “here to hear” to “here to here.”
36. 21 R.T. II 4782:14: Change “saying” to “sane.”
37. 22 R.T. II 4979:26: Change “word” to “world.”
38. 22 R.T. II 5000:14: Change “that there” to “that. There.”
39. 26 R.T. II 5661:21: Change “whose” to “those.”
40. 27 R.T. II 5852:11: Change “Mr. Gannon” to “The Court.”
41. 27A R.T. II 6128:7: Change “Mr. Gannon” to “Ms. Glass.”
42. 27A R.T. II 6133:17: Change “along way, historically” to “a long way historically.”
43. 27A R.T. II 6146:12: Change “figure?” to “figure.”
44. 27A R.T. II 6188:23: Change “that. He” to “that, he.”
45. 27A R.T. II 6200-6205: [This page should be corrected to indicate that the volume ends at 6204.]
46. 28 R.T. II 6339:16: Change “scan?” to “scan.”
47. 28 R.T. II 6367:2: Change “asymmetrical” to “symmetrical.”
48. 28 R.T. II 6367:6: Change “asymmetrical” to “a symmetrical.”
49. 28 R.T. II 6377:7: Change “pattern?” to “pattern.”
50. 28 R.T. II 6501-80:5: Change “Mr. Gannon” to “The Court.”
51. 29 R.T. II Cover: Cover page should be corrected to refer to “Pages 6502 to 6528 inclusive” rather than “Pages 6525 to 6828 inclusive.”]
52. 29 R.T. II 6506:17: Change “and B,” to “and V,”
53. 30 R.T. II 6972:3: Delete “Bruce**” from the text.
54. 30 R.T. II 7029:14: Change “Bruising” to “Bruce.”
55. 30 R.T. II 7099:2: Change “her. I was wiping” to “her, I was wiping.”
56. 30 R.T. II 7182:10: Change “release” to “disease.”
57. 30 R.T. II 7245:2: Change “normal” to “formal.”
58. 31 R.T. II 7396:12: Change “19-year-old” to “9-year-old.”
59. 31 R.T. II 7470:24: Change “after death?” to “after death.”
60. 32 R.T. II 7664:25: Change “surprised?” to “surprised.”
61. 34 R.T. II 8299: [The second page 8299 (6/2/93 afternoon proceedings) should be renumbered as 8299-A.]
62. 34 R.T. II 8453:5: Change “didn’t” to “isn’t.”
63. 34 R.T. II 8576:1: Change “she backed” to “he backed.”

64. 35 R.T. II 8798:7, 10: Change “The Court” to “Mr. Gannon.”

65. 35 R.T. II 8799:6: Change “Mr. Gannon” to “Mr. Grimes.”

66. 35 R.T. II 8800:19-20: Change “moment, I have been shut my not from the bottom of my hearts want to hang you” to “moment. I have been forced to shut my mouth. From the bottom

of my heart, I want to thank you for.”

67. 35 R.T. II 8800:26: Change “abuse think full girl” to “a beautiful girl.”

68. 35 R.T. II 8808:24: Change “same to the row business” to “statement to the probation.”

The clerk is directed to return the above-enumerated volumes to the superior court. The superior court clerk is directed to make corrections one through five. The court reporter is directed to make corrections six through 69. The superior court is directed to send copies of the corrected pages to counsel for both parties and to allow counsel an opportunity to review the corrected pages. Then the superior court clerk and reporter must insert the corrected pages into the original volumes of the record and return them to this court.

The remainder of appellant’s correction requests are denied.

The following requests to augment the record are granted:

1. Pages 1 through 11 of the report of Dr. Arnold Purisch. Because the Purisch psychiatric report currently begins at (sealed) 6 C.T. II at p. 2015 with page number 12 of the report, the superior court is directed to determine whether pages 1-11 of this report exist, and, if so, to supply sealed copies of the pages (numbered as 2014a, 2014b, etc.) to this court and to counsel for both parties. As to appellant’s request for an unobscured copy of page 64 of the Purisch report ((sealed) 6 C.T. II 2067) appellant is hereby advised that this court’s copy of the record has a hand-written note from the superior court clerk indicating that the original document has the same obscured area.
2. Documents filed or lodged in the superior court pertaining to record correction proceedings that postdate the “8/15/02 Supplemental Clerk’s Transcript.” The clerk of the superior court is directed to compile a supplemental clerk’s transcript that contains such documents, including all minute orders, declarations, and submissions to this court that the superior court produced in response to our June 30, 2004, order (which granted in part appellant’s motion to augment and correct the record). This supplemental clerk’s transcript must be entitled “Supplemental Clerk’s Transcript - Record Correction Proceedings - Post 8/15/02” and must be supplied to this court and to counsel for both parties.

The remainder of appellant’s requests to augment the record are denied.

Appellant’s request for permission to settle the record on appeal as to oral proceedings held on August 22, 1990, is denied. The superior court has determined that no oral proceedings were conducted in relation to the minute order of August 22, 1990, and that no written order exists relating thereto. (See Minute Order of 8/27/2004.)

The superior court must complete the above-ordered corrections and augmentations by May 30, 2008.

S055501**PEOPLE v. BUTLER
(RAYMOND OSCAR)**

Order filed

Appellant's "Motion for Permission To File Supplemental Opening Brief" and "Application and Declaration for Leave to File Appellant's Supplemental Opening Brief Exceeding 2,800 Words" are granted. The supplemental respondent's brief must be served and filed on or before May 5, 2008. Appellant's supplemental reply brief will be due within 20 days of the filing of the supplemental respondent's brief.

S068536**PEOPLE v. MCWHORTER
(RICHARD)**

Motion to file document under seal granted

Good cause appearing, appointed habeas corpus/executive clemency counsel Phyllis M. Quatman's "Request to File Under Seal Declaration Supporting Second Motion to Withdraw as Counsel of Record" for appellant Richard McWhorter, filed February 26, 2008, is granted. The court expressly finds that the factors enumerated in California Rules of Court, rule 2.550(d), support granting the motion to file under seal.

S068536**PEOPLE v. MCWHORTER
(RICHARD)**

Order filed

In conjunction with the order filed this day permitting Phyllis M. Quatman to withdraw as appointed habeas corpus/executive clemency counsel of record for appellant Richard McWhorter with regard to the above-referenced automatic appeal now pending in this court, Quatman is ordered to reimburse this court the sum of \$43,560, subject to her ability to demonstrate to the court that she should be credited, as appropriate, for habeas corpus "work performed that is determined by the court to be of value to the court." (See Guidelines for Fixed Fee Appointments, on Optional Basis, to Automatic Appeals and Related Habeas Corpus Proceedings in Cal. Supreme Ct., guideline 11 ["Court Action Upon Nonperformance of Work, and Reimbursement of Fees Upon Authorized Withdrawal of Appointed Counsel"], subpt. B.)

S156598 B201396 Second Appellate District, Div. 3**BROWN, WINFIELD &
CANZONERI, INC. v. S.C.
(GREAT AMERICAN
INSURANCE COMPANY)**

Motion denied

The motion to dismiss filed on March 3, 2008, in the above-entitled proceeding is denied. Brown, Winfield & Canzoneri, Inc., is directed to serve and file its answer brief within 30 days after the date of this order.

S156933**J. (E.) ON H.C.**

Motion to file document under seal granted

Petitioners' application to file documents under seal and for a protective order is granted.

Petitioners' declarations are ordered sealed because disclosure of identifying information could compromise the safety of petitioners and their families. The court finds that an overriding interest overcomes the right of public access to the record; there is a substantial probability the overriding interest will be prejudiced if the record is not sealed; the sealing is narrowly tailored; and no less restrictive means exist to achieve the overriding interest. (Cal. Rules of Court, rule 2.550.) The parties are prohibited from disclosing the contents of the sealed materials in any subsequently filed records or papers in this matter. (Cal. Rules of Court, rule 8.160.)

S157631**P. (S.) ON H.C.**

Motion to file document under seal granted

Petitioners' application to file documents under seal and for a protective order is granted.

Petitioners' declarations are ordered sealed because disclosure of identifying information could compromise the safety of petitioners and their families. The court finds that an overriding interest overcomes the right of public access to the record; there is a substantial probability the overriding interest will be prejudiced if the record is not sealed; the sealing is narrowly tailored; and no less restrictive means exist to achieve the overriding interest. (Cal. Rules of Court, rule 2.550.) The parties are prohibited from disclosing the contents of the sealed materials in any subsequently filed records or papers in this matter. (Cal. Rules of Court, rule 8.160.)

S157633**S. (J.) ON H. C.**

Motion to file document under seal granted

Petitioners' application to file documents under seal and for a protective order is granted.

Petitioners' declarations are ordered sealed because disclosure of identifying information could compromise the safety of petitioners and their families. The court finds that an overriding interest overcomes the right of public access to the record; there is a substantial probability the overriding interest will be prejudiced if the record is not sealed; the sealing is narrowly tailored; and no less

restrictive means exist to achieve the overriding interest. (Cal. Rules of Court, rule 2.550.) The parties are prohibited from disclosing the contents of the sealed materials in any subsequently filed records or papers in this matter. (Cal. Rules of Court, rule 8.160.)

S157634**T. (K.) ON H. C.**

Motion to file document under seal granted

Petitioners' application to file documents under seal and for a protective order is granted.

Petitioners' declarations are ordered sealed because disclosure of identifying information could compromise the safety of petitioners and their families. The court finds that an overriding interest overcomes the right of public access to the record; there is a substantial probability the overriding interest will be prejudiced if the record is not sealed; the sealing is narrowly tailored; and no less restrictive means exist to achieve the overriding interest. (Cal. Rules of Court, rule 2.550.) The parties are prohibited from disclosing the contents of the sealed materials in any subsequently filed records or papers in this matter. (Cal. Rules of Court, rule 8.160.)

S160078**SAN NICOLAS (RODNEY
JESSE) ON H.C.**

Motion to file document under seal denied

Petitioner's January 16, 2008, "Motion for Protective Order and to File Conditionally Under Seal Memorandum of Points and Authorities, Petition for Writ of Habeas Corpus and Exhibits," is denied. The clerk is directed to return the "Conditionally Under Seal Memorandum of Points and Authorities in Support of Sealing and Protective Order," "Conditionally Under Seal Petition for Writ of Habeas Corpus," and the "Conditionally Filed Under Seal Table of Contents and Authorities to Sealed Petition" to counsel for petitioner. (See Cal. Rules of Court, rule 2.551(b)(6).)

S160915**COOK (JOSEPH LLOYD) ON
H.C.**

Order filed

Petitioner Joseph Lloyd Cook's "Motion to Defer Informal Briefing on Petition for Writ of Habeas Corpus," filed on February 15, 2008, is granted. Further briefing is deferred until either:

- 1) petitioner files an amended petition, including all reasonably available documentary evidence in support of the allegations in the Petition for Writ of Habeas Corpus filed on February 15, 2008, and any additional allegations or claims for relief about which he may become aware as the result of further investigation and discovery; or
- 2) the period of presumptive timeliness under this court's order of September 22, 2006, expires. The September 22, 2006, order, and the present one, are made to promote judicial economy, to effectuate petitioner's right to counsel under section 68662 of the Government Code, to allow "the

full factual development in state court” of petitioner’s claims (*Keeney v. Tamayo-Reyes* (1992) 504 U.S. 1, 9), and to permit the completion of “one full round of [state collateral] review” (*Carey v. Saffold* (2002) 536 U.S. 214, 222).

S130495

**MASTERS (JARVIS J.) ON
H.C.**

Reference hearing ordered

The court:

Based on the record in this matter and good cause appearing:

The Honorable Verna Adams, Presiding Judge of the Superior Court of California, County of Marin, is directed to select a Judge of the Superior Court of California, County of Marin to sit as a referee in this proceeding and promptly to notify this court of the referee selected. After appointment by this court, the referee will take evidence and make findings of fact on the following questions regarding the case of *People v. Jarvis J. Masters* (Marin County Superior Court No. 10467; Judge Beverly B. Savitt):

1. Was false evidence regarding petitioner’s role in the charged offenses admitted at the guilt phase of petitioner’s trial? If so, what was that evidence?
2. Is there newly discovered, credible evidence indicative of petitioner’s not having been a participant in the charged offenses? If so, what is that evidence?
3. What, if any, promises or threats were made to guilt phase prosecution witness Rufus Willis by District Attorney Investigator Charles Numark or Deputy District Attorneys Edward Berberian or Paula Kamena? Was Willis’s trial testimony affected by any such promises or threats, and, if so, how?
4. Were there promises, threats, or facts concerning guilt phase prosecution witness Bobby Evans’s relationship with law enforcement agencies of which Deputy District Attorneys Berberian and Kamena were, or should have been, aware, but that were not disclosed to the defense? If so, what are those promises, threats, or facts?
5. Did Deputy District Attorneys Berberian and Kamena knowingly present false testimony by Bobby Evans? If so, what was that testimony?
6. What, if any, promises or threats were made to Bobby Evans by District Attorney Investigator Numark, Department of Corrections Investigator James Hahn, or Deputy District Attorneys Berberian and Kamena? Was Evans’s trial testimony affected by any such promises or threats, and, if so, how?
7. Did penalty phase prosecution witness Johnny Hoze provide false testimony regarding petitioner’s involvement in the murder of inmate David Jackson? If so, what was that false testimony?

It is further ordered that the referee prepare and submit to this court a report of the proceedings conducted pursuant to this appointment, of the evidence adduced, and the findings of fact made.

S160092

Petition denied

(accusation)

**WILLIAMS, ACCUSATION
OF****S160116**

Petition denied

(accusation)

CABRERA, ACCUSATION OF**S160902**

Petition denied

(accusation)

**RHEINSCHILD,
ACCUSATION OF****S160910**

Petition denied

(accusation)

UPTON, ACCUSATION OF**S160918**

Petition denied

(accusation)

WELLS, ACCUSATION OF**S161106**

Petition denied

(accusation)

LICATA, ACCUSATION OF**S161115**

Petition denied

(accusation)

**FELDMAN, ACCUSATION
OF****S161134**

Petition denied

(accusation)

**MARTINEZ, ACCUSATION
OF****S161237**

Petition denied

(accusation)

TAYLOR, ACCUSATION OF

S161265

Petition denied

(accusation)

CHODOS, ACCUSATION OF**S161425**

Petition denied

(accusation)

TURTURICE, ACCUSATION OF**S161438**

Petition denied

(accusation)

SANTOS, ACCUSATION OF**S161492**

Petition denied

(accusation)

**WASHINGTON,
ACCUSATION OF****S161566**

Petition denied

(accusation)

GATLIN, ACCUSATION OF**S159828****JARAMILLO ON
DISCIPLINE**

Recommended discipline imposed: disbarred

It is hereby ordered that GEORGE HENRY JARAMILLO, State Bar No. 169891, be summarily disbarred from the practice of law and that his name be stricken from the roll of attorneys.

Respondent is also ordered to comply with rule 9.20 of the California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 45 days, respectively, after the date this order is effective. (See Bus. & Prof. Code, § 6126, subd. (c).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S158740**JARAMILLO ON
RESIGNATION**

Resignation declined

This court having received and considered the voluntary resignation of GEORGE HENRY JARAMILLO, State Bar No. 169891, as a member of the State Bar of California, declines to accept the resignation. (Cal. Rules of Court, rule 9.21(d).)

